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August 13, 2024

VIA CM/ECF

The Honorable José R. Almonte, U.S.M.J
United States District Court for the District of New Jersey
Martin Luther King Building & U.S. Courthouse
Court Room PO 9
50 Walnut Street
Newark, New Jersey 07101

Re: LORENZO v. THE BOROUGH OF PALISADES PARK et al.
Civil Action No.: 2:23-cv-21849-CCC-JRA

ASHLEY V. THE BOROUGH OF PALISADES PARK, et al.
Civil Action No.: 22-cv-6285-CCC

Dear Judge Almonte:

This office represents plaintiffs David J. Lorenzo and Austin Ashley in the above referenced matters which have been consolidated for discovery purposes. Defendants, the Borough of Palisades Park, Chong Paul Kim, and Suk "John" Min are represented by R. Scott Fahrney , Jr., Esq. Defendants Stephanie Jang and Jae Park are represented by Roshan Shah, Esq. Please accept the following joint letter on behalf of all parties summarizing the status of these cases as directed by the Court (ECF No. 43 (Lorenzo) and ECF No. 21 (Ashley)).

Mr. Lorenzo is the former Borough Administrator for the Borough of Palisades Park. Mr. Ashley is the Borough's former Deputy Borough Administrator.

Mr. Lorenzo filed his initial complaint on November 17, 2023 against the Borough of Palisades Park, Chong Paul Kim (individually and in his official capacity as Mayor of the Borough of Palisades Park, New Jersey), and SUK “JOHN” MIN (individually and in his official capacity as a member of the Borough Council of Palisades Park, New Jersey) (EFC No. 1 (Lorenzo)). Mr. Lorenzo’s claims stemmed from his suspension from his position as Palisades Park Borough Administrator. He alleged that defendants did that to retaliate against him for his political activity during the November 2023 general election.

Mr. Lorenzo was fired from his position as Borough Administrator on February 13, 2024.

On April 25, 2024, with leave of the Court, Mr. Lorenzo filed his first amended complaint (ECF No. 18 (Lorenzo)) alleging that his discharge further violated his civil rights. That pleading also added two new defendants, Borough Councilmembers, Stephanie Jang and Jae Park. It added a claim against the Borough for discrimination under the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 to -49, based on Mr. Lorenzo’s national origin and ancestry and claims against Jang and Park for aiding and abetting that discrimination.

Mr. Ashley was fired from his position as Deputy Borough Administrator on January 22, 2024. He filed his complaint in this matter on May 20, 2024 (ECF No. 1 (Ashley)). The defendants in the Ashley matter are identical to those in Lorenzo, and the claims arise from the same or similar conduct.

The Borough, Mayor Kim, and Councilmember Suk answered Mr. Lorenzo’s first amended complaint on June 28, 2024 (ECF No. 37 (Lorenzo)). They answered Mr. Ashley’s complaint on July 12, 2024 (ECF No. 18 (Ashley)).

Councilmembers Jang and Lee filed answers in both actions on July 31, 2024 (ECF No. 41 (Lorenzo) and EFC No. 20 (Ashley)).

Your Honor entered a Pretrial Scheduling Order in Lorenzo on March 25, 2024 (ECF No. 15 (Lorenzo)) and a First Amended Scheduling Order on April 16, 2024 (ECF No. 17 (Lorenzo)). Under that amended order, paper and fact discovery was extended through October 7, 2024.

No pretrial scheduling orders have been entered in the Ashley matter.

Rule 26 disclosures have been exchanged between Mr. Lorenzo and Borough, Mayor Kim, and Councilman Min. The only discovery demands propounded to date are interrogatories and demands for production of documents served on the Borough, Mayor Kim, and Councilman Min in the Lorenzo matter on April 15, 2024. Responses to those demands are outstanding.

The parties propose the following discovery schedule:

1. All outstanding Rule 26 disclosures served by 9/3/2024.
2. All paper discovery served by 9/16/2024.
3. Responses to paper discovery by 11/1/2024.
4. Depositions completed by 2/28/2025.
5. Plaintiffs' expert reports by 3/31/2025.
6. Defendants' expert reports by 5/16/2025.
7. Expert depositions by 7/31/2025.

The parties look forward to discussing the status of these matters during the upcoming telephone conference on August 20, 2024.

Respectfully,

s/ Leonard Seaman
LEONARD E. SEAMAN

LES/me

cc: All counsel (via CM/ECF)
client (via e-mail)